

REMARKS

Claims 1-12 remain in this application. Claims 1-7 and 12 have been amended. The Examiner has acknowledged that claims 2 and 7-12 are directed to allowable subject matter.

In the Office Action, claims 1-6, 8 and 12 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Details of all such rejections will not be reiterated here. However, Applicant respectfully submits that all such points of clarification have been addressed via the present amendment and respectfully requests that the associated 112 rejections now be withdrawn.

Additionally, independent claim 1 was rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,115,517 to Shiragaki et al. For the following reasons, Applicant respectfully submits that such reference does not, in fact, anticipate the present invention.

In paragraph 9 of the Office Action, it is suggested that the Drop Optical Switching Network (102) of the Shiragaki et al. apparatus was an input matrix as claimed by the present invention. Similarly, the Office Action asserts that the Insert Optical Switching Network (103) was an output matrix as claimed by the present invention. Though not entirely specific, it appears the reasoning proffered in the Office Action is that the Pass-Through Optical Switching Network (101) was serving as a variably switchable network as claimed by the present invention. That is, the reasoning offered was that "the first and second sides are connected to each other and to the input and output channels of the third side via the variably switchable network."

Applicant respectfully submits that the Shiragaki et al. reference does not involve the use of input and output matrices. Conversely, Shiragaki et al. involves a relatively complex optical communication network apparatus that includes three separate switching networks – none of which individually connects first and second sides that are connected to each other as well as to the input and output channels of a third side. Applicant respectfully submits that the Shiragaki et al. reference has one switching network for Pass-Through Optical operations for converting any wavelength at any input terminal to any wavelength at any output terminal. An altogether separate switching network is used for Drop Optical Switching wherein a wavelength-multiplexed-separated optical signal can be output when a wavelength-multiplexed optical signal is input. Lastly, yet another separate switching network is provided for inserting optical

switching operations wherein wavelength demultiplexing units are removed, and thus signals are separately input wave by wave because no wavelength multiplexing is performed.

Nowhere in the Shiragaki et al. reference does it teach or suggest to use simple input and output matrices along with a variably switchable network, wherein the first and second sides are connected to each other and to the input and output channels of the third side via the variably switchable network.

In light of the above, Applicant respectfully submits that independent claim 1, as amended, as well as claims 2-12 which respectfully depend therefrom, are both novel and non-obvious over the art of record. Accordingly, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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